

**SUBPOENA****UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD**

To Alaris Health at Hamilton Park  
525 Monmouth St., Jersey City, NJ 07302

As requested by PAUL A. THOMAS, on behalf of the General Counsel

whose address is 1015 Half St. SE, Washington, DC 20003  
 (Street) (City) (State) (ZIP)

YOU ARE HEREBY REQUIRED AND DIRECTED TO PRODUCE TO An agent  
 of the National Labor Relations Board

at 20 Washington Place, 5th Floor

in the City of Newark, NJ, 07102

on February 21, 2020 at 4:30 p.m. or any adjourned

or rescheduled date in Alaris at Hamilton Park Health Care Center  
22-CA-180566  
 (Case Name and Number)

If you do not intend to comply with the subpoena, within 5 days (excluding intermediate Saturdays, Sundays, and holidays) after the date the subpoena is received, you must petition in writing to revoke the subpoena. Unless filed through the Board's E-Filing system, the petition to revoke must be received on or before the official closing time of the receiving office on the last day for filing. If filed through the Board's E-Filing system, it may be filed up to 11:59 pm in the local time zone of the receiving office on the last day for filing. Prior to a hearing, the petition to revoke should be filed with the Regional Director; during a hearing, it should be filed with the Hearing Officer or Administrative Law Judge conducting the hearing. See Board's Rules and Regulations, 29 C.F.R. Section 102.31(b) (unfair labor practice proceedings) and/or 29 C.F.R. Section 102.66(c) (representation proceedings) and 29 C.F.R. Section 102.111(a)(1) and 102.111(b)(3) (time computation). Failure to follow these rules may result in the loss of any ability to raise objections to the subpoena in court.

**A-1-180SE2N**



Under the seal of the National Labor Relations Board, and by direction of the Board, this Subpoena is

Issued at Washington, DC

Dated: January 31, 2020

  
 John Ring, Chairman

**NOTICE TO WITNESS.** Witness fees for attendance, subsistence, and mileage under this subpoena are payable by the party at whose request the witness is subpoenaed. A witness appearing at the request of the General Counsel of the National Labor Relations Board shall submit this subpoena with the voucher when claiming reimbursement.

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is mandatory in that failure to supply the information may cause the NLRB to seek enforcement of the subpoena in federal court.

Case 22-CA-180566

**RETURN OF SERVICE**

**A-1-180SE2N**

I certify that, being a person over 18 years of age, I duly served a copy of this subpoena

**(Check method used.)**

- ☐ by person  
☒ by certified mail  
☐ by registered mail  
☐ by telegraph  
☐ by leaving copy at principal office or place of business at

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

on the named person on

January 31, 2020

(Month, day, and year)

Phyllis Jones

(Name of person making service)

Paralegal

(Official title, if any)

**CERTIFICATION OF SERVICE**

I certify that named person was in attendance as a witness at

\_\_\_\_\_  
on

(Month, day or days, and year)

\_\_\_\_\_  
(Name of person certifying)

\_\_\_\_\_  
(Official title)

## ATTACHMENT

### DEFINITIONS AND INSTRUCTIONS FOR DOCUMENT PRODUCTION

A. The word “document” or “documents” means any existing printed, typewritten, handwritten, or otherwise recorded matter of whatever character, records stored on computer or electronically, including without limitation, letters, licenses, memoranda, facsimile transmissions, telegrams, minutes, notes, contracts, transcripts, diaries, reports, calendars, payroll records, interoffice communications, statements, affidavits, photographs, microfilm, audio or video tapes, computer printouts, computer discs and all data contained thereon, and any such material in the possession of, control of, or available to the subpoenaed party, or any attorney, agent, representative or other persons acting in cooperation with, in concert with, or on behalf of said subpoenaed party. **All documents are requested in their original form, without abbreviation, redaction, or expurgation; true copies may be provided of the original document so long as they are legible and exactly conform to the original.**

B. “All Documents” means every document as defined above that is known to you and every document that can be located and discovered by reasonably diligent effort, together with all documents within the possession or knowledge of your present or former agents, employees, attorneys, investigators or insurance carriers, or any present or former agents, investigators, officers, or employees of any such individual or entity.

C. “And/or” shall be interpreted as meaning “and/or” and shall not be interpreted disjunctively to exclude any documents requested herein.

D. “Any and all” shall be interpreted as meaning “any and all” and shall not be interpreted disjunctively to exclude any documents requested herein.

E. Whenever used herein, the singular shall be deemed to include the plural and vice versa; the present tense shall be deemed to include the past tense and vice versa; references to parties shall be deemed to refer to all of their owners, officers, representatives and agents; and the masculine shall be deemed to include the feminine and vice versa; the disjunctive “or” shall be deemed to include the conjunctive “and” and vice versa; and the words “each”, “every”, “any”, and “all” shall be deemed to include each of the other words.

F. Copies of documents, including electronic copies, may be produced in lieu of originals, so long as such copies reflect the original format and are complete and fully legible.

G. Should you claim that any of the following requests is beyond the scope of permissible discovery or is privileged, such claim shall specify in detail all the grounds on which the claim rests. If you claim a privilege, you must append a log

that identifies the allegedly privileged documents by date, author, recipient, and subject matter.

H. As to any documents not produced in compliance with this request on any ground or if any requested document was, through inadvertence or otherwise, destroyed or lost, state or describe:

1. the author;
2. the recipient;
3. the name of each person;
4. the date of the document;
5. the subject matter of the document
6. the circumstances under which the document was destroyed, lost, or withheld.

I. **All documents produced pursuant to this request are to be organized and referenced by the numbered request paragraph(s) to which each document or set of documents is responsive.**

J. You are required to respond to this request, to serve your response upon counsel for the General Counsel of the Board and to produce the requested documents at the location specified upon the subpoena on or before **February 21, 2020**.

**DOCUMENTS TO BE PRODUCED**

1. Copies of all correspondence among Alaris agents regarding compliance with the Third Circuit's judgment. Privileged legal advice shall be withheld as set forth above.

Documents may be produced at the offices of the National Labor Relations Board Region 22, 20 Washington Place, 5th Floor, Newark, NJ 07102, or by email to [paul.thomas@nlrb.gov](mailto:paul.thomas@nlrb.gov), or any other agreed-upon method of production.

Dated: January 31, 2020

Paul A. Thomas, Trial Attorney  
National Labor Relations Board  
Contempt, Compliance, and Special  
Litigation Branch  
1015 Half St. SE  
Washington, D.C. 20003  
(202) 273-3788